

**REMARKS**

Claims 22-25, 27-40 and 42-47 are presented for reconsideration and further examination in view of the foregoing amendments and following remarks.

In the outstanding Office Action, the Examiner objected to the specification, asserting that the abstract of the disclosure did not commence on a separate sheet in accordance with 37 C.F.R. 1.52(b)(4) and required a new abstract of the disclosure to be presented on a separate sheet, apart from any other text.

In the outstanding Office Action, the Examiner rejected claims 22-25, 29, 31, 32, 39, 40, 42, 45 and 47 under 35 U.S.C. §103(a) as being unpatentable over Applicant's disclosure of the Prior Art (hereinafter referred to as "Applicant's Prior Art") in view of Patent Abstracts of Japan No. 62171515 to Yoshihiro (hereinafter referred to as "the Yoshihiro '515 abstract"). The Examiner also rejected claims 22, 23, 32, 35-39 and 42 under 35 U.S.C. §103(a) as being unpatentable over Australian Patent Publication 54,127/73 to Harvey (hereinafter referred to as "the Harvey '773 publication") in view of Applicant's Prior Art; rejected claims 27, 28, 43 and 44 under 35 U.S.C. §103(a) as being unpatentable over the Harvey '773 publication in view of Applicant's Prior Art as applied to claims 22 and 39 above, and further in view of Great Britain Patent Publication No. 530,912 to Nagy (hereinafter referred to as "the Nagy '912 publication"); rejected claim 33 under 35 U.S.C. §103(a) as being unpatentable over Applicant's Prior Art in view of the Yoshihiro '515 abstract, and further in view of European Patent Application No. EP 0743464 to De Filippis et al. (hereinafter referred to as "the De Filippis '464 application"); and rejected claims 40, 42, 45 and 47 under 35 U.S.C. §103(a) as being unpatentable over the Harvey '773 publication in view of Applicant's Prior Art as applied to claim 39 above, and further in view of the Yoshihiro '515 abstract.

By this Response and Amendment, a replacement abstract is submitted and claims 22 and 39 have been amended. Claims 26 and 41 have been cancelled without prejudice or disclaimer to the contents therein. In this regard, Applicant notes that the amended claims merely clarify the subject matter recited in the rejected claims. Applicant thanks the Examiner for his indication of Allowable Subject Matter and have accordingly amended claim 22 to be a combination of the subject matter of previously presented claim 22 and previously presented but now cancelled claim 26. Similarly, amended claim 39 is a combination of the subject matter of previously

presented claim 39 and previously presented but now cancelled claim 41.

It is respectfully submitted that the above amendments do not introduce any new matter to this application within the meaning of 35 U.S.C. §132.

### **Objection to the Specification (Abstract)**

The Examiner objected to the abstract of the disclosure, asserting that it did not commence on a separate sheet in accordance with 37 C.F.R. 1.52(b)(4), and required a new abstract to be presented on a separate sheet, apart from any other text.

### **Response**

As the instant application was filed as a 371 National Phase Entry into the USPTO, Applicant is allowed under 37 C.F.R. §1.495 to submit a copy of the International Application (here PCT Publication WO 2005/007299 A1) for use as the specification, as is, and further, should be allowed under MPEP § 1.893.03(e) to use the abstract of the disclosure found on the cover page of the publication, as is, and not be subject to the requirement found in 37 C.F.R. §1.52(b)(4) for other U.S. non-provisional utility applications to place the abstract on a separate sheet, apart from any other text. However, for the purposes of expediting prosecution, by this Response and Amendment, a replacement abstract of the disclosure has been submitted on a separate sheet, apart from any other text, as required by the Examiner.

Accordingly, Applicant respectfully requests that the Examiner withdraw this objection and allow this application.

### **Claim Rejections under 35 U.S.C. § 103(a)**

The Examiner rejected claims 22-25, 29, 31, 32, 39, 40, 42, 45 and 47 under 35 U.S.C. §103(a) as being unpatentable over Applicant's disclosure of the Prior Art (hereinafter referred to as "Applicant's Prior Art") in view of Patent Abstracts of Japan No. 62171515 to Yoshihiro (hereinafter referred to as "the Yoshihiro '515 abstract"). The Examiner also rejected claims 22, 23, 32, 35-39 and 42 under 35 U.S.C. §103(a) as being unpatentable over Australian Patent Publication 54,127/73 to Harvey (hereinafter referred to as "the Harvey '773 publication") in view of Applicant's Prior Art; rejected claims 27, 28, 43 and 44 under 35 U.S.C. §103(a) as being unpatentable over the Harvey '773 publication in view of Applicant's Prior Art as applied

to claims 22 and 39 above, and further in view of Great Britain Patent Publication No. 530,912 to Nagy (hereinafter referred to as “the Nagy ‘912 publication”); rejected claim 33 under 35 U.S.C. §103(a) as being unpatentable over Applicant’s Prior Art in view of the Yoshihiro ‘515 abstract, and further in view of European Patent Application No. EP 0743464 to De Filippis et al. (hereinafter referred to as “the De Filippis ‘464 application”); and rejected claims 40, 42, 45 and 47 under 35 U.S.C. §103(a) as being unpatentable over the Harvey ‘773 publication in view of Applicant’s Prior Art as applied to claim 39 above, and further in view of the Yoshihiro ‘515 abstract.

### Response

Applicant respectfully traverses the rejections since all of the features of the presently claimed subject matter are not disclosed by the cited references.

By this Response and Amendment, claim 22 of the present application has been amended to incorporate the subject matter of claim 26, indicated by the Examiner as not anticipated by the cited prior art of record.

Therefore, Applicant believes that amended claim 22 is novel and unobvious and therefore patentable with reference to the cited prior art of record by virtue of the incorporation of the Examiner indicated allowable subject matter of claim 26. No *prima facie* rejection under 35 U.S.C. 103(a) can be made against these claims and Applicant requests an indication of such.

Similarly, Applicant has by this Response and Amendment amended claim 39 of the present application to incorporate the subject matter of claim 41, indicated by the Examiner as not being anticipated by the cited prior art of record. Therefore, Applicant believes that amended claim 39 is novel and unobvious and therefore patentable with reference to the cited prior art of record by virtue of the incorporation of the Examiner indicated allowable subject matter of claim 41. No *prima facie* rejection under 35 U.S.C. 103(a) can be made against these claims and Applicant requests an indication of such.

Accordingly, Applicant respectfully submits that claims 23-25, 27-37 and claims 40, 42-47 are novel and unobvious and therefore patentable with reference to the cited prior of record at least by virtue of their dependency from patentable claims 22 and 39 respectively.

In view of the foregoing, reconsideration and withdrawal of the above rejections is respectfully requested.

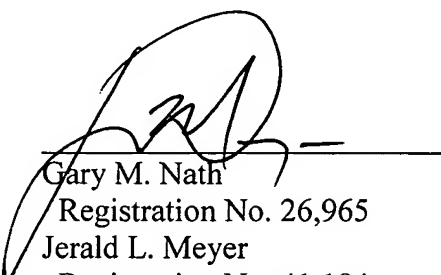
### CONCLUSION

In light of the foregoing, Applicant submits that the application is now in condition for allowance. An early notice of allowance is requested so that the application may proceed to issue. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner call the undersigned attorney(s).

Respectfully submitted,  
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